

Zoning Commission Minutes

**February 28, 2013
3:00 pm**

Chairman Russ Hoff called the meeting of the Stark County Zoning Commission to order. Chairman Hoff, Jay Elkin, Kurt Froelich, Larry Messer, Gene Jackson and Duane Grundhauser present and absent were Sue Larsen, Chuck Steffan and Klayton Oltmanns. Also present were Planner Steve Josephson, States Attorney Tom Henning and Auditor Kay Haag.

Duane Grundhauser moved to approve the minutes from the January 31, 2013 meeting. Jay Elkin seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from Kay Haag. The request was for a zoning change from Agricultural to Rural Residential in the SE4SE4 Section 12, Township 140, Range 96 containing approximately 40 acres. Chairman Hoff asked for anyone to speak for or against the zoning change. Art Wolf voiced concerns regarding property appearance. Jesse Jalbert voiced concerns regarding water pressure and small plats. Chairman Hoff closed the public hearing.

Jay Elkin moved to recommend to the Stark County Board of Commissioners the approval of a zoning change from Agricultural to Rural Residential following the staff recommendations for Kay Haag.

AGENDA ITEM #1: Kay Haag is requesting a zoning change from Agricultural to Rural Residential on the SE4 of Section 12, Township 140, and Range 96 containing approximately 40 acres.

STAFF RECOMMENDATION: Approval of the proposed rezoning based upon the following finding:

- The proposed rezoning is consistent with the development pattern in the vicinity.

Prior to obtaining a building permit, the developer shall plat the subject property in accordance with the Stark County Subdivision regulations.

The request is consistent with the following objectives of the Stark County Comprehensive Plan:

- LAND USE-Strive to protect the agricultural integrity of rural areas; and
- LAND USE-Avoid conflicts between land uses.

Gene Jackson seconded. Roll call vote. All voted Aye and the motion carried.

A preliminary plat for the First Replat of Norwegian Creek Subdivision, Lots 3, 5 6, 8, 9 and 11-13 Section 16, Township 139, Range 99 was withdrawn by Mike Boyd.

Jay Elkin moved to approve the final plat for Simon Butte Estates, All of Government Lot 2 Section 6, Township 140, Range 95, following the staff recommendations.

AGENDA ITEM #3: Final Plat, Simon Butte Estates, All of Government Lot 2 of Section 6, Township 140, Range 95.

STAFF RECOMMENDATION: Approval of the final plat, dated February 5, 2013, subject to the following condition:

1. A building permit for any structure within a platted subdivision may not be issued until all of the following improvements are constructed by the developer and approved by Stark County.
 - a. The improvements required are:
 - i. The grading of all roadways within the subdivision;
 - ii. The installation of storm water management facilities required to manage storm water in accordance with an approved storm water management plan and submittal of a statement from a consulting engineer that certifies that the facilities were built in accordance with the approved storm water management plan;
 - iii. The construction of any other required facilities, such as turning lanes or bridges; and
 - iv. Any other improvements required by the Stark County Zoning Ordinance.
 - v. The completion of required off-site improvements, such as the construction of turning lanes or the paving of section line roadways, may be delayed with the submittal of an assurance of completion.

Duane Grundhauser seconded. Roll call vote. All voted Aye and the motion carried.

Steve Josephson, County Planner, discussed the following items:

- Stark County Website fillable forms
- Updating and reviewing Zoning Ordinance
- Educating the public regarding zoning
- FAQ regarding zoning

Jay Elkin discussed using a checklist for the public regarding zoning procedures.

Gene Jackson discussed putting a land use plan in place.

Jay Elkin moved to adjourn. Larry Messer seconded.